

**MONTANA SECRETARY OF STATE****LINDA McCULLOCH**
STATE ADMINISTRATION

HB 30: Revise Late Registration Laws
Senate State Administration, Rm 335
March 8, 2013 @ 3:00 p.m.
Secretary Linda McCulloch's Testimony

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Exhibit No. 1
Date 3/8/2013
Bill No. HB 30

Good afternoon Mr. Chair, members of the committee. For the record, I am Linda McCulloch, Montana Secretary of State. I strongly oppose House Bill 30, because there is no justifiable reason to eliminate same-day voter registration and deny eligible Montanans their right to vote.

Late registration was first implemented in the 2006 Federal Primary. Since then, **65,836 Montanans** have used it to register to vote and cast a ballot in a statewide election. **Of those Montanans, 28,329 have registered and voted on Election Day.** (These numbers do not include local elections.)

These aren't all new registrants – which is a common misperception. Late registration is used by every type of voter in every one of your legislative districts. In fact, about half of all late registrants in the 2012 General Election were existing voters who had moved.

If you've ever relocated, you know that registering to vote is the last thing on your mind between packing and unpacking, forwarding your mail, paying your bills, starting a new job or enrolling your kids in school. Our elections should reflect the will of every eligible Montana citizen, and should not leave out the thousands of voters who have moved from one county to another and did not get to the election office to update their registration.

Election Day registrants aren't procrastinators – as I've heard some people claim. They are responsible and hardworking Montanans, and they know that their right to register and vote is protected under Montana law. Are you willing to look them in the eye on Election Day and deny them their right to vote?

I've heard the argument that Election Day registration creates longer lines and additional work for counties. **While I support efforts to streamline election administration in Montana, I firmly believe that you don't shorten the lines on Election Day by denying people their right to vote.**

In fact, eliminating Election Day registration will not shorten the lines. It will make matters worse. Not only will there be long lines on whatever day you choose to close registration, but more voters will be voting provisional ballots on Election Day. Provisional ballots require as much (if not more) work as voter registration, and can delay the results of close races by at least a week. Both of these results run counter to improving efficiencies in election administration – and they are only the tip of the iceberg.

Election Day registration has been around for nearly 7 years. I think we can all imagine the chaos and confusion that will occur if there is suddenly an unnecessary deadline placed on voter registration.

We must all remember that Montana elections are for the voters, and Election Day registration has successfully ensured that every eligible Montanan has had the opportunity to cast a ballot.

If this Legislature is concerned about the lines on Election Day, the solution isn't rolling back voter registration. Alleviating the workload on counties begins with implementing online voter registration, voting by mail, moving the date absentee ballots are sent out, allowing for youth election judges, and other administrative improvements.

Montana's county Election Administrators and staff are trained to manage late registrants, and they do a great job both on Election Day and in the days leading up to the election. They work to make Election Day run smoothly, and I appreciate their efforts.

The ballot shortages discussed in previous testimony happened at polling places, not at late registration sites. And those shortages were largely due to an underestimation of the number of registered voters excited about voting in a presidential election. They were not due to late registrants.

This should not be a partisan issue. This is about Montanans, and the 2012 General Election is proof that Montanans are committed to exercising their right to vote.

We had a two-page ballot due in part to the volume of legislative referenda included on the ballot. Folks chose to wait in line on Election Day and give their neighbors adequate time to vote that two-page ballot. Montana citizens who feel strongly enough about their civic duty to stand in line in order to register and vote, should be applauded.

HB 30 not only strips away their right to vote, it strips away the ultimate fail-safe for any administrative error that can occur at no fault of the voter. For example: Voters who thought they had registered at the DMV or through a voter registration drive, and were told that they were not registered when they showed up at the polls. Election Day registration allows them to vote and to have their ballot counted.

We all have the right to be heard on Election Day. As an American, I cannot support a bill that would turn Montanans away at the polls and deny them their right to vote.

Having more opportunities to register and vote is one of the reasons Montana's voter turnout continues to be one of the highest in the nation. I urge you to vote "no" on this bill in support of fair, accurate and accessible elections. Thank you for your time this morning.

The Montana Association of Clerks & Records and Election Administrators supported the late registration bill in 2005, and it has advised the SOS office that the Association is neutral on HB30.



2012 General Election Late Registrations by Type

Montana Secretary of State Linda McCulloch
Elections and Government Services Division
sos.mt.gov · soselections@mt.gov

	Late Registrations through Monday, November 5, 2012	Election Day Late Registrations on Tuesday, November 6, 2012	All Late Registrations	New Registrations	Updates to Existing Registrations	All Late Registrations
TOTALS	11950	8053	20003	11307	8696	20003
Beaverhead	123	106	229	138	91	229
Big Horn	73	113	186	112	74	186
Blaine	36	62	98	59	39	98
Broadwater	94	48	142	90	52	142
Carbon	148	98	246	151	95	246
Carter	16	6	22	18	4	22
Cascade	660	737	1397	973	424	1397
Chouteau	52	35	87	51	36	87
Custer	153	119	272	204	68	272
Daniels	19	15	34	30	4	34
Dawson	43	4	47	30	17	47
Deer Lodge	76	115	191	120	71	191
Fallon	32	24	56	26	30	56
Fergus	140	84	224	154	70	224
Flathead	1405	654	2059	1238	821	2059
Gallatin	1517	687	2204	1004	1200	2204
Garfield	21	6	27	18	9	27
Glacier	131	119	250	160	90	250
Golden Valley	6	1	7	2	5	7
Granite	33	31	64	46	18	64
Hill	246	196	442	252	190	442
Jefferson	111	89	200	122	78	200
Judith Basin	14	17	31	20	11	31
Lake	331	283	614	422	192	614
Lewis and Clark	912	430	1342	600	742	1342
Liberty	21	12	33	15	18	33
Lincoln	128	115	243	190	53	243
Madison	59	58	117	62	55	117
McCone	15	21	36	18	18	36
Meagher	15	14	29	19	10	29
Mineral	32	22	54	36	18	54
Missoula	1458	1125	2583	1141	1442	2583
Musselshell	99	49	148	117	31	148
Park	239	177	416	254	162	416
Petroleum	9	2	11	11	0	11
Phillips	69	23	92	53	39	92
Pondera	66	41	107	74	33	107
Powder River	26	18	44	35	9	44
Powell	51	62	113	83	30	113
Prairie	8	5	13	5	8	13
Ravalli	470	327	797	535	262	797
Richland	118	167	285	188	97	285
Roosevelt	64	100	164	124	40	164
Rosebud	80	65	145	102	43	145
Sanders	114	61	175	141	34	175
Sheridan	47	44	91	63	28	91
Silver Bow	454	453	907	526	381	907
Stillwater	118	110	228	153	75	228
Sweet Grass	50	35	85	58	27	85
Teton	74	55	129	86	43	129
Toole	62	56	118	87	31	118
Treasure	6	3	9	2	7	9
Valley	68	85	153	115	38	153
Wheatland	34	14	48	39	9	48
Wibaux	9	9	18	14	4	18
Yellowstone	1495	646	2141	921	1220	2141
TOTALS	11950	8053	20003	11307	8696	20003

Updated January 10, 2013



Election Day Late Registrations, 2006-Present

Montana Secretary of State Linda McCulloch
Elections and Government Services Division
sos.mt.gov · sselections@mt.gov

	Election Day Late Registrations on General Election Day November 6, 2012	Election Day Late Registrations on Primary Election Day June 5, 2012	Election Day Late Registrations on General Election Day Tuesday, November 2, 2010	Election Day Late Registrations on Primary Election Day Tuesday, June 8, 2010	Election Day Late Registrations on General Election Day Tuesday, November 4, 2008	Election Day Late Registrations on Primary Election Day Tuesday, June 3, 2008	Election Day Late Registrations on General Election Day Tuesday, November 7, 2006	All Election Day Late Registrations
TOTALS	8053	1178	3735	836	7547	2679	4301	28329
Beaverhead	106	12	59	7	100	34	83	401
Big Horn	113	26	51	48	156	92	143	629
Blaine	62	6	11	3	49	13	26	170
Broadwater	48	1	56	26	66	22	44	263
Carbon	98	13	34	18	88	26	64	341
Carter	6	0	3	5	6	0	1	21
Cascade	737	86	298	78	722	223	281	2425
Chouteau	35	9	19	8	20	12	13	116
Custer	119	11	45	16	115	31	81	418
Daniels	15	1	0	0	13	3	4	36
Dawson	4	0	20	33	56	2	41	156
Deer Lodge	115	46	19	10	83	38	58	369
Fallon	24	4	9	7	15	0	10	69
Fergus	84	9	31	11	96	36	34	301
Flathead	654	84	333	70	817	235	328	2521
Gallatin	687	86	451	48	580	154	419	2425
Garfield	6	3	10	6	15	11	4	55
Glacier	119	17	12	16	44	17	75	300
Golden Valley	1	0	1	0	0	0	3	5
Granite	31	3	11	2	13	4	14	78
Hill	196	14	53	9	157	33	100	562
Jefferson	89	14	31	12	73	17	46	282
Judith Basin	17	5	7	2	13	0	3	47
Lake	283	62	83	25	267	94	79	893
Lewis and Clark	430	117	278	67	518	335	266	2011
Liberty	12	1	6	2	14	0	4	39
Lincoln	115	1	38	13	106	21	28	322
Madison	58	6	10	8	64	8	43	197
McCone	21	4	9	0	7	2	2	45
Meagher	14	4	9	3	18	0	7	55
Mineral	22	5	13	7	37	8	19	111
Missoula	1125	126	592	31	1014	491	632	4011
Musselshell	49	5	22	19	45	0	25	165
Park	177	27	101	19	145	52	109	630
Petroleum	2	1	3	0	9	0	8	23
Phillips	23	6	6	0	18	2	20	75
Pondera	41	15	22	9	29	9	14	139
Powder River	18	3	9	0	0	0	9	39
Powell	62	11	20	3	45	8	23	172
Prairie	5	1	5	0	8	0	4	23
Ravalli	327	54	117	18	271	92	159	1038
Richland	167	16	45	25	82	23	44	402
Roosevelt	100	9	52	14	63	19	88	345
Rosebud	65	5	30	9	78	15	50	252
Sanders	61	10	19	23	77	13	32	235
Sheridan	44	4	14	6	13	8	10	99
Silver Bow	453	103	156	16	306	142	185	1361
Stillwater	110	3	34	22	86	0	47	302
Sweet Grass	35	8	9	1	25	3	24	105
Teton	55	18	15	6	30	20	36	180
Toole	56	3	10	0	26	10	11	116
Treasure	3	2	6	6	11	2	3	33
Valley	85	3	57	3	53	12	26	239
Wheatland	14	4	10	13	17	11	10	79
Wibaux	9	2	1	1	11	0	3	27
Yellowstone	646	89	370	32	757	276	456	2626
TOTALS	8053	1178	3735	836	7547	2679	4301	28329

Updated December 4, 2012



Late Registrations on Election Day by Senate District, 2006-Present

Montana Secretary of State Linda McCulloch

Elections and Government Services Division

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	2006 General*	2008 Primary	2008 General	2010 Primary	2010 General	2012 Primary	2012 General		
Senate District	Election Day Registrations	Election Day Registrations	Election Day Registrations	Election Day Registrations	Election Day Registrations	Election Day Registrations	Election Day Registrations	TOTAL	2013 Senator
1		21	106	13	41	1	115	297	Chas Vincent
2		47	182	9	64	14	122	438	Dee Brown
3		60	179	20	80	23	169	531	Bruce Tutvedt
4		72	236	21	93	30	176	628	Jon Sonju
5		52	220	22	75	16	184	569	Verdell Jackson
6		73	191	18	72	55	199	608	Janna Taylor
7		29	150	32	40	22	114	387	Jennifer Fielder
8		25	102	12	18	18	175	350	Shannon Augare
9		43	107	12	65	37	132	396	Rick Ripley
10		24	138	10	42	16	155	385	Bradley Maxon Hamlett
11		68	177	19	62	18	175	519	Anders Blewett
12		53	166	18	61	18	147	463	Mitch Tropila
13		56	166	25	81	16	185	529	Edward Buttrey
14		42	104	26	62	31	167	432	Llew Jones
15		51	139	21	85	22	124	442	Jim Peterson
16		34	98	14	70	23	155	394	Jonathan Windy Boy
17		33	175	10	54	10	208	490	Greg Jergeson
18		24	96	12	82	11	171	396	John Brenden
19		24	144	54	76	18	174	490	Matthew Rosendale
20		25	144	31	76	22	176	474	Frederick (Eric) Moore
21		102	173	49	53	27	132	536	Sharon Stewart-Peregoy
22		29	112	17	61	14	93	326	Taylor Brown
23		22	142	25	70	19	134	412	Alan Olson
24		46	95	4	90	12	118	365	Roger Webb
25		55	122	5	52	15	83	332	Kendall Van Dyk
26		45	127	5	45	10	110	342	Robyn Driscoll
27		31	102	4	31	9	77	254	Elsie Arntzen
28		41	99	3	45	14	81	283	Jeff Essmann
29		22	82	3	39	8	67	221	Edward Walker
30		23	177	40	76	18	205	539	Jason Priest
31		53	166	20	97	32	206	574	Ron Arthun
32		63	150	14	140	25	201	593	Larry Jent
33		56	211	9	147	19	276	718	Mike Phillips
34		42	152	37	114	30	137	512	Scott Sales
35		19	115	11	70	13	104	332	Art Wittich
36		44	175	18	91	18	176	522	Debby Barrett
37		76	144	5	72	49	187	533	Jon Sesso
38		66	162	11	84	54	266	643	Jim Keane
39		60	161	16	66	26	142	471	Terry Murphy
40		113	165	17	55	33	140	523	Mary Caferro
41		127	156	34	115	54	148	634	Christine Kaufmann
42		67	161	28	98	28	126	508	Dave Lewis
43		50	129	15	44	57	203	498	Gene Vuckovich
44		57	165	11	74	37	206	550	Vacant Jan. 7
45		35	106	7	39	17	121	325	Fred Thomas
46		61	146	5	57	18	105	392	Sue Malek
47		121	238	8	154	21	309	851	Dick Barrett
48		85	167	7	97	25	193	574	Tom Facey
49		95	241	4	141	41	276	798	David Wanzenried
50		117	186	5	119	14	208	649	Cliff Larsen
Totals	4301*	2679	7547	836	3735	1178	8053	28329*	

*In 2006, since the MT Votes system was in the early stages of implementation, there was no consistent method of tracking late registrants, so 2006 numbers are not available by legislative district, but are included in the final total.

Updated December 3, 2012